

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

WILLIAM WADDELL, **PLAINTIFF,**

VS. **CIVIL ACTION 4:04CV226-P-B**

RAJNIKANT DAYA d/b/a LEVEE INN, **DEFENDANT**

Consolidated with

WILLIAM E. PRINCE, **PLAINTIFF,**

VS. **CIVIL ACTION 4:04CV259-P-B**

RAJNIKANT DAYA d/b/a LEVEE INN, **DEFENDANT.**

ORDER

This matter comes before the court upon Defendant's Second Motion in Limine to Exclude the Testimony of Robert D. Jones [39-1]. Upon due consideration of the motion and the responses filed thereto, the court finds as follows, to-wit:

Because the plaintiffs have not complied with Fed. R. Civ. P. 26(a)(2)(B) or Local Rule 26.1(A)(2) by not filing an expert report or curriculum vitae of Robert D. Jones, pursuant to Local Rule 26.1(A)(3), the court shall exclude testimony by Robert D. Jones in this matter.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) Defendant's Second Motion in Limine to Exclude the Testimony of Robert D. Jones [39-1] is **GRANTED**; therefore,

(2) The testimony of Robert D. Jones is hereby **EXCLUDED**.

SO ORDERED this the 19th day of December, A.D., 2005.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE